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AUG 12 2005

In re Application of
Dong-Hwan Kim
Application No. 10/620,399
Filed: July 16, 2003
Attorney Docket No. 1650-6

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OFFICE OF PETITIONS

ON PETITION

This is a decision on the Response to Notice of Incomplete Nonprovisional Application, filed April 28, 2005, requesting the above-identified application be accorded a filing date of July 16, 2003, including 1 sheet of drawing.

The application was filed on July 16, 2003. On February 28, 2005, the Office of Initial Patent Examination mailed a Notice of Incomplete Nonprovisional Application (hereinafter "Notice") stating that the application had NOT been accorded a filing date because the application had been deposited without drawings.

Applicant responds with the instant petition wherein Applicant avers that one sheet of drawing was originally filed with the application on July 16, 2003, and was received by this Office as evidenced by the return-receipt postcard. In support of this assertion, Applicant provides a copy of a return-receipt postcard acknowledging receipt of one sheet of drawing in the above-identified application by this Office on July 16, 2003.

A review of the return-receipt postcard reveals that Applicant is correct. The postcard acknowledges receipt of one sheet of drawings in the above-identified application by this Office on July 16, 2003.

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all items listed thereon by the PTO." MPEP § 503.

Accordingly, the petition is granted.

The copy of one sheet of drawings filed with the instant petition on April 28, 2005, will be used for examination purposes.

No fee has been charged and none is due.

The application will be returned to the Office of Initial Patent Examination for further processing with a filing date of July 16, 2005, and an indication that one (1) sheet of drawing was present on filing, using the one sheet of drawings filed with the instant petition on April 28, 2005.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.



Derek L. Woods

Petitions Attorney

Office of Petitions